I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Signature and Deposit: July 18, 2001

Nicholas J. Seay

OIPE JC14
JUL 24 2001
PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Frederick R. Blattner
Valerie Burland
Debra J. Rose
George F. Mayhew
Nicole T. Perna
Robert D. Perry
Susan C. Straley
Jacqueline D. Fetherston
Luther E. Lindler
Gregory V. Plano

Date: July 18, 2001

Serial No.: 09/409,800

Filed: 09/30/99

Title: PLASMID DNA FROM YERSINIA PESTIS

Group Art Unit: 1645

Examiner: S. Devi

File No.: 960296.95939

RESPONSE

Commissioner For Patents
Washington DC 20231

Dear Sir:

In response to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("Notice to Comply") mailed on June 20, 2001 in the above-identified application, please amend the application by substituting the attached sequence listing in place of the existing sequence listing in the application. Please also cancel the paragraph immediately following the subtitle "BRIEF SUMMARY OF THE INVENTION," which include lines 7-11 on page 7 of the application, and substitute the following therefor:

--One aspect of the present invention is an isolated *Yersinia pestis* plasmid pMT1- or pCD1-specific polynucleotide sequence selected from the group consisting of any portions of the sequences present in SEQ ID NO:1 through SEQ ID NO:3 set forth below.--

REMARKS

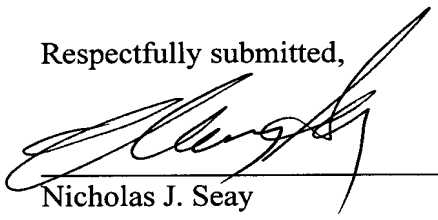
In the Notice to Comply, Applicants are informed of several noncompliance in the sequence listing currently existing in the file, which was generated under the old rules (37 CFR 1.821-1.825 effective October 1, 1990). In response, Applicants submit a paper copy and a computer readable form of the sequence listing, which is generated under the new rules (37 CFR 1.821-1.825 effective July 1, 1998), to replace the existing paper copy and computer readable form of the sequence listing in the file. The paper copy and the computer readable form of the sequence listing submitted herewith are identical in content and contain no new matter.

Applicants noticed that SEQ ID NO:1 and SEQ ID NO:2 of the sequence listing currently existing in the file are identified as SEQ ID NO:2 and SEQ ID NO:1, respectively, in the specification. To make the SEQ ID NOs in the sequence listing and the specification consistent, SEQ ID NO:1 and SEQ ID NO:2 of the sequence listing existing in the file have been switched and are now SEQ ID NO:2 and SEQ ID NO:1 in the sequence listing submitted herewith.

Applicants also noticed a typographical error in the specification. "SEQ ID NO:6" in line 11 on page 7 of the application should be "SEQ ID NO:3." This typographical error has also been corrected by this response.

No fee is believed due in connection with this response. However, should any fee be due, please charge the fee to Deposit Account Number 17-0055.

Respectfully submitted,



Nicholas J. Seay
Reg. No.: 27,386
Attorney for Applicants
QUARLES & BRADY LLP
P.O. Box 2113
Madison, WI 53701

TEL 608/251-5000
FAX 608/251-9166

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PATENT & TRADEMARK OFFICE

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Applicants: Frederick R. Blattner
Valerie Burland
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File No.: 960296.95939

In the Specification:

Please cancel the paragraph immediately following the subtitle "BRIEF SUMMARY OF THE INVENTION," which include lines 7-11 on page 7 of the application, and substitute the following therefor:

--One aspect of the present invention is an isolated *Yersinia pestis* plasmid pMT1- or pCD1-specific polynucleotide sequence selected from the group consisting of any portions of the sequences present in SEQ ID NO:1 through SEQ ID NO:[6] 3 set forth below.--